

REMARKS

The claims have been amended as to form, so as to take care of the formal objections.

The limitations of claim 26 have been added to claim 16 and carried down through the other claims, whereby the present invention is now limited to a spectacle frame having a side-piece and a spectacle face. These are of course well-known terms in the spectacle art.

Reconsideration is accordingly respectfully requested, for the rejection of the claims as unpatentable over MORTON in view of WARSHAWSKY.

Neither of these patents, nor the combination of them, would suggest to a person of ordinary skill in the spectacle art, any way to improve a spectacle frame having a side-piece and a spectacle face. MORTON discloses a broom handle and WARSHAWSKY discloses a spot swivel.

Each of the applied references is in a technical field having no relationship to the other. Moreover, each of the applied references is in a technical field having no relationship whatsoever to eyewear comprising spectacle frames.

It would accordingly not have been obvious to a person of ordinary skill in the art of spectacles, to look to two entirely different fields, for an improvement in the pivoting of a spectacle side-piece to a spectacle face.

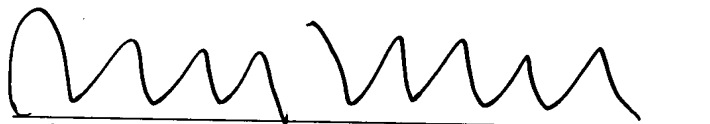
Moreover, as to MORTON, a person seeking to provide a pivotal connection for the side-piece of a spectacle frame would derive no useful information, because MORTON permits the rigid parts 2 and 3 to pivot over only a very small angle. By contrast, a spectacle side-piece must be able to pivot about 90 degrees between the closed position and the open position.

As the claims now clearly bring out these distinctions with ample particularity, it is believed that they are all patentable, and reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Robert J. Patch', written over a horizontal line.

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